IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.3500 OF 1995

Bank of India ...Plaintiff

Versus

Yogesh Bhulabhai Panchal & Anr. ...Defendants

Shri N.S.Fadia for the Plaintiff.

CORAM : ABHAY S.OKA, J.
DATED : SEPTEMBER 13, 2007.

P.C.:

1. The affidavits of service of writ of summons are taken on record and marked "X" and "Y" for identification. The Defendants have not entered the appearance after service of writ of summons within time stipulated by law. Hence, in view of sub-rule 3 of rule 2 of Order XXXVII of the Code of Civil Procedure, 1908 the allegations in the plaint shall be deemed to be admitted by the Defendants. Hence, the Plaintiff is entitled to a decree as prayed. The suit is accordingly decreed as prayed. Certified copy is expedited.

JUDGE